

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DELECIA ANN HOLT, WE2826,)	
)	
Plaintiff(s),)	No. C 12-4563 CRB (PR)
)	
vs.)	ORDER OF DISMISSAL
)	
JASON TONG, et al.,)	
)	
Defendant(s).)	

Plaintiff, a prisoner at the Central California Women's Facility in Chowchilla, California, has filed a pro se complaint for damages under 42 U.S.C. § 1983 alleging that employees of Comfort Suites in Lake Forest, California, violated her constitutional rights in connection with criminal proceedings in Orange County Superior Court.

A substantial part of the events or omissions giving rise to the claims occurred, and the individual defendants named reside, in Orange County or Placer County, which lie within the venue of the Central District of California, Southern Division or the Eastern District of California. See 28 U.S.C. § 84(b) & (c)(3). Venue therefore properly lies in the Central District or in the Eastern District. See id. § 1391(b).

Accordingly, IT IS ORDERED that, pursuant to 28 U.S.C. § 1406(a), this action is DISMISSED without prejudice to bringing it in the Central District, Southern Division or in the Eastern District. See In re Hall, 939 F.2d 802, 804 (9th Cir. 1991) (dismissal for improper venue must be without prejudice).

SO ORDERED.

DATED: Oct. 5, 2012



CHARLES R. BREYER
United States District Judge